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# THE ATLANTA CONSTITUTION.

VOL. XXI.

ATLANTA, GEORGIA, FRIDAY MORNING, DECEMBER 6, 1899.

PRICE FIVE CENTS.

## DAVIS DEAD!

The Great Chieftain Passes  
Over the River.

And Rests with Jackson Under  
the Shade of the Trees.

The Hearts of a Great and  
Loving People

Crushed by the Death of Their  
Great Leader.

The Hero of Hard-Fought  
Fields in Mexico.

The Peerless Statesman in  
Federal Councils.

The Defender of a Nation's  
Honor.

JEFFERSON DAVIS IS NO MORE!

The whites were frequently engaged in conflict with savage foes, young Jefferson's earliest thoughts were centered upon guns, sails, and all the panoply of war. By the time he was sixteen he had made the most of his academic and military advantages, and entered the military academy at West Point.

For fellow students he had such comrades as Robert E. Lee, Joseph E. Johnston, Leonidas Polk, John B. Magruder, and others well known to fame. In this circle his lofty character, bright mind, and thorough manliness, commanded the highest regard of all.

Black Hawk's Ideal Soldier.

From boyhood Jefferson Davis had a strong soldierly bias, amounting almost to a passion. Drums and bugles stirred the fever in his blood, and caused his pulses to leap into impetuous action.

When he graduated at West Point, and plunged into the thick of the Indian warfare on the northern frontier, the old army officers instantly recognized him as a born soldier. He was appointed a staff officer, and made such a brilliant record that, in a short time, he was promoted to the rank of first lieutenant and adjutant of a new cavalry

regiment. By this time the famous Indian chief, Black Hawk, banded several tribes together, and made the frontier too hot for the whites. Black Hawk combined the sagacity of King Philip with the military genius of Tecumseh. Then and again he led his plumed warriors to victory, scattering the regular troops before him or baffling them by his wily strategy.

The cool judgment, quick decision and unflinching courage of Lieutenant Davis made him a central figure. Finally Black Hawk was captured and held for some time as a hostage. The proud captive chafed under the confinement. He felt a contempt for the whites and hated them. He was sullen and reserved, and would neither hear nor answer the captains and men among the pale faces. Only one man had any influence with him. The red chieftain knew a soldier when he saw one, and Davis attracted his attention. The young officer had eyes like an eagle's. He walked with the springy step of an Indian brave on the warpath. To this frank, bold, magnetic man the prisoner felt irresistibly drawn. Davis was not long in finding out his power over his savage foe, and he used it in the interests of peace.

"Black Hawk," said the young soldier when they were about to part, "You know me. You have called me the pale face with the straight tongue and red man's heart. I like you because you are brave and true to your people. Hear my words and take them home. Can you count the stars or the leaves of the forest, or the sands of the bad lands? You know that you cannot. Yet these countless hosts do outnumber the pale faces. Since you were strong enough to bend a bow, you have fought us. You have seen your horses cut down like grass. You have been driven back year by year. Can you hope at this late day to overcome the bayonet with the tomahawk? Will the shouts of your warriors drown our big guns? Black Hawk is a man with a head. He sees these things. When he goes home to his people, will he not tell them that it is better to divide this broad land with the white man, and dwell in peace with them, than to be driven into the sea?" These plain words sunk deep into Black Hawk's heart. He seized Davis's hand and gave it a cordial grip. Then he turned and marched away without a backward glance.

When Colonel Davis returned from the Mexican war, at the head of the gallant Mississippi Rifles, the whole nation hailed him as "the hero of Buena Vista."

At Monterey Colonel Davis and his men fought with heroic valor. Braving a furious storm of copper-shells, the Mississippians made a desperate charge on the enemy's fortifications. The men literally threw themselves upon the guns of the Mexicans, after climbing the breastworks. It was wild work. The assault was like an avalanche. The Mexicans fled and took shelter in a strong building, from which they poured a heavy fire of musketry. This post was soon captured, and the next fight was a hot engagement in the streets of Monterey. The heavy fire from the house-tops was deadly and terrifying. Davis and his soldiers penetrated street after street, dislodging the foe from building after building, until within a square of the grand plaza. The capitulation of Monterey followed, and the entire country rang with the praise of Colonel Davis and his Mississippi Rifles.

The Buena Vista exploit closed the name of Davis among the most renowned military men of modern times.

Here Against Terrible Odds he saved the army and virtually won the battle. The Americans were about to lose the

day, when General Taylor, with Colonel Davis at his side, and several retreating regiments were rallied. Davis, with his own regiment and a handful of Indiana volunteers, advanced at double quick, firing all the time. The Mexicans were put to flight, but in a few moments a brigade of lancers, two thousand strong, came on at a gallop with sword-bayoneted sabres, scattering the men into the form of a V, both flanks resting on ravines, the Mexicans advancing on the intervening ridge, thus exposing the enemy to a cross-fire. When within range the rifles blazed away. The whole head of the Mexican column fell. Never was a more deadly fire witnessed on any battle field. The Mexicans were completely shattered. They fell as fast as the drops of summer rain, and those who escaped fled precipitately from the field.

After this battle the V movement was the talk of the day. It is said that there is no one similar example in modern history.

St. Colin Campbell made a reputation at the battle of Inkerman by drawing his men up in the shape of a V and repulsed a charge of Russians. But Campbell had heard of Colonel Davis's success, and merely followed in his footsteps.

On this side of the water Generals Taylor, Quitman, Lane, and other soldiers, were enthusiastic over Davis, and in the old country the duke of Wellington, the victor of Waterloo, expressed his admiration in glowing words.

Indorsed by such veterans as the "Iron Duke," and old Zach Taylor as a leader of brilliant military genius, it goes without saying that the people of this country, north and south, accepted the verdict. If the career of Davis had ended with the Mexican war, he would still have had glory enough for any one man.

His Public Life Before the War.

Before the Mexican war Mr. Davis had served part of a term in congress, resigning to accept the command of the Mississippi Volunteers. Upon his return from the land of the Montezumas he was appointed to fill a vacancy in the United States senate.

In the senate Mr. Davis at once stepped into the front rank. He was a student as well as a man of affairs. He was not only well versed in political science, but thoroughly well equipped for debate. Contrary to the opinion entertained by many of the present generation, the senator from Mississippi was no extremist. He was fully committed to the doctrine of states rights, but except when roused by bitter opposition he was notably calm, moderate and methodical in speech and in action. The election of President Pierce brought Senator Davis into the cabinet as secretary of war. For the first time in the history of the republic the war department had a man at its head who was capable of managing it. Even the enemies of the new administration

could find no fault with the new secretary.

A Trained Soldier Himself.

he knew just how to handle the military interests of the nation. The secretary gave much of his time to testing new improvements in arms and equipments. He had the territories explored. When the Crimean war came on he sent a number of officers to the scene of the trouble to study the discipline and methods of the European armies. The federal government never had a more able or efficient war secretary. Returned by his state to the senate with the beginning of President Buchanan's administration, Mr. Davis plunged into the exciting debates leading up to the tremendous campaign of 1860. This brings us to the part of history almost as familiar to our readers as the current matters of the day, and it is unnecessary to reproduce it here. All the world knows that Mr. Davis was ready to follow his doctrine of state sovereignty to its logical consequences. He insisted upon the right of secession, but he fought with all his energy against such a state of affairs as would, in his judgment, render the exercise of the right necessary.

When, however, the crisis came after the election of Lincoln, after the republicans had opposed with all their might every peaceable and honorable solution of the difficulty, after Mississippi had passed her ordinance of secession, Mr. Davis embraced the occasion of resigning his seat in the federal senate to explain and justify the course of his people. The spirit of enlightened Christian statesmanship animates this remarkable address, and it is impossible to read it now without understanding the profound impression produced at the time of its delivery.

From the senate Mr. Davis went to his plantation in Mississippi. He hoped that secession would be peacefully accomplished, but he could not disguise the fact that the outlook was anything but pacific. Following the bent of tastes and inclinations, he looked forward in the event of a conflict to an appointment in the army. In such an emergency he knew that the south would require the services of veteran officials, and he had every reason to believe that he would be called upon to serve the new republic with all his might.

This anticipation was disappointed we all know. The presidency of the confederacy was thrust upon him unsuspected. It was unexpected, but in this as in other things, Jefferson Davis heeded the voice of his people and accepted the burdens and responsibilities thrust upon his shoulders.

A Chapter of Prison Life.

The malignant persecution of the confederate president after his capture reflects disgrace upon all concerned in it. Lincoln's unjustly false threat to hang him, the federal government into the hands of bitter partisans, who for a time pandered to the basest passions of the masses. In the proclamation offering a reward for the capture of Mr. Davis the fugitive chieftain was charged with complicity in the assassination of Mr. Lincoln. Every effort was employed to induce him to forsake his mind. A desire for revenge became the dom-

inant sentiment, and there was a general clamor for the head of the leader of the lost cause.

On the 10th of May, 1865, the iron door of the cell in Fortress Monroe closed with a clang on the most illustrious prisoner ever confined within that gloomy battlement.

The prison life of Mr. Davis has never been written. Dr. Craven's narrative was colored by his own prejudices. It was not even written by his own hand. The entire book was the work of a Bohemian writer in New York, who took the material supplied by Dr. Craven, completing the task in the short space of ten days.

The jailers of Mr. Davis, from General Miles down, believed that their prisoner was destined to undergo a trial for high treason. Backed by Secretary Stanton and public sentiment, they did not hesitate to descend to the lowest depth of petty persecution. These facts, when they came to light, and the injury upon Mr. Davis they were reverting themselves upon the southern people. Only the bare necessities of life were allowed the captive. The feeble state of his health excited no sympathy.

Neuralgia Tortured Him.

He was in danger of losing his eyesight. He was deeply concerned about the fate of his family and his people, and naturally became irritable and nervous. All this was nothing to the jailers. If they could force bitter words and complaint from him, and publish that to the world, and keep him alive until they could drag him before a court, they were satisfied.

Dr. Craven was the only inmate of the fortress who was thrown into intimate association with the prisoner, and in the course of time his prejudices melted away. He has left on record his tribute to the greatness and nobility of his patient. From Dr. Craven the world has learned a few items of the ex-president's sojourn in Fortress Monroe.

When Mr. Davis desired books to read, they were denied him. For a long time the Bible was the only exception. Later, when he could not read and needed exercise, books were furnished and exercise was prohibited. When he wanted to write only a few sheets of paper were counted out to him, and every line he wrote was inspected. His letters were read by the prison officials. Every parcel that came to him was inspected.

Fearing that he would be more comfortable if he had an abundant supply of clothing, the officials limited him in this respect. The messengers of St. Helena were surprised by these prison minions. An order was passed to allow Mr. Davis three shirts a week. The captive protested. The matter was laid before General Miles, and that satrap expressed the opinion that any gentleman ought to be satisfied with three shirts a week. The prisoner indignantly complained that the general's ideas of a gentleman's wants did not fit his

case. If he had plenty of shirts, he was entitled to those who had and had a right to put on a new one every day. The authorities remained obdurate. They had decided on three shirts a week, and the prisoner's surplus linen was kept under guard as something treasonable and dangerous to the interests of the country.

Mr. Davis was not even allowed to sleep in peace. A sentinel, half soldier, half spy was detailed day and night to watch him. Under such scrutiny the captive was nervous and restless. He complained that the concentrated gaze of a human eye made him wakeful, but protests were of no avail. The persecution was kept up for a long time.

Occasionally Mr. Davis conversed freely with Dr. Craven. He made no secret of his deep conviction that

The Sword Had Not Settled the principles for which the confederates had contended. He predicted that at some other time, and perhaps in another shape the great principle of state sovereignty was bound to reassert itself. Naturally he had very little to say in praise of his enemies, their principles and their methods. One day something was said about Benjamin Franklin as the typical philosopher of the northern people. Mr. Davis promptly denounced him as a man of inordinate meanness. He said that his philosophy was sordid and selfish. It was devoted to the small economies of life. It was based upon no Christian principles. It rose no higher than intelligent paganism, and had made the yankees a set of brucksters. Such utterances made their way into the northern papers and did not tend then to soothe the public mind.

The Crowning Indignity

of Mr. Davis's imprisonment was, of course, the action of his guards in putting him in irons like a common felon. Taking advantage of the excited emotions of a sick man loaded to desperation by savage inhumanity, the wretches who had charge of him finally assailed him and loaded his feeble limbs with fetters. The most shameless partisan historian now skips this chapter in the great confederate's prison life, or touches it lightly. This chronicler feels disposed to do the same. It is not a pleasant thing to show up our own countrymen as monsters of inhumanity and

varie.

Finally even hate exhausted itself. After two years Jefferson Davis was admitted to bail and restored to his family and friends. One of his bondsmen was Horace Greely. The great editor of the Tribune had a magnificent heart. He was ashamed of the treatment of his fallen foe, and in his hours of misfortune felt only sympathy for him. The sequel is well known. The government never prosecuted the indictment of treason. It could not. The result would have been such a vindication of the defendant as would have made him a hero in the eyes of the world and set the side of the public sympathy overwhelmingly in his favor. So the indictment was at last not pressed, but its damning blot still remains on the court records, blurring the nation's history.

Upon leaving prison, Mr. Davis came home

via Augusta. He was received at that city with great enthusiasm and introduced to an immense crowd by the Hon. Henry W. Warren. He made a short address and then resumed his way to his home.

He lived in obscurity and, it is greatly to be feared, in poverty, his plantation yielding but little income. The additional estate left him by Mrs. Dorsey paid little better. The rents from his land constantly diminished, and the chances are that the great confederate leader was poorer at his death than he had ever been before. Steps were once taken to raise a fund for him, but he kindly, but firmly, averted the hands of those engaged in it as soon as he became aware of what was being done. He held that as long as the widows and orphans of the confederate soldiers were in want, he had neither the right nor the wish to take one dollar of the bounty that ought to find its way to them.

His "Rise and Fall of the Confederacy" was singularly unsuccessful as a pecuniary venture. Published in a very expensive shape, it found few purchasers. The elaborate care with which it was prepared, and the tremendous research in which its smallest facts were based, consumed several years. He was com-

mented to ask advances from Messrs. Appleton while engaged in the work, and it is doubtful if the amount paid him after the issue of the work amounted to \$5,000. It stands, however, as an unanswerable defense of the southern cause—a monument to the southern love of constitutional liberty—and in this merits the utmost admiration of its author.

Mr. Davis went north only once after the war. He went to Canada just before his book was published, that he might register it there in season and thus secure the English copyright. His trip through the north was quiet and almost uneventful, although some small indignities were put upon him.

Mr. Davis preferred to live in retirement. In nothing that he said or did did he forget the slightest degree the dignity of his high position. Accepting the reverse of life with uncomplaining fortitude he held his convictions unchanged and unmodified. In defeat as in victory his great nature and his golden heart were equal to all demands. In peace or in war he stood the unchallenged and beloved chief among his people.

"DAVIS IS DEAD."

"Davis is dead!" The message read; The night was waiting fast; On lightning wings the sentence sped; A storm of pent-up tears unshed Came gushing forth at last!

"Davis is dead!" The message read; We thought of days gone by, And him whose dauntless courage fed The altar fires when hope had fled, And darkness veiled the sky!

"Davis is dead!" The message read; God keep his noble name! The death of those who fought and bled For Dixie are eternal wed With his undying fame!

"Davis is dead!" The message read; Though lowly lies his crownless head His memory lives and in his stead No other king shall reign!

—MONTGOMERY M. FOLSON.  
2:30 A. M., December 6.

The Constancy of the Confederate Soldier.

From the Baltimore Sun.

Lord Wolsley has written some interesting articles on the devotion of the southern soldiers to their great commander, Lee, and he has mentioned instances of conspicuous courage in referring to them.

But perhaps the most remarkable example of their devotion was to be found in the perfect content with which they bore hunger, lack of food, and hardships that could not be heavier, while they knew that their leader was sharing their suffering.

Towards the close of the war it was the custom of the federal soldiers, when they captured a confederate to examine his haversack. In this way, better than any other, they were able to form conclusions respecting the condition of the confederate commissary department.

Man must live, and as the soldier carries his rations, it has any, the contents of his haversack will be likely to tell a tale that his tongue would not. The "aid and comfort" thus derived from the tell-tale ration bag may be illustrated from the experience of a Virginia soldier who was captured at Five Forks, about a month before Lee's surrender.

He was "cut off" while foraging, and on being taken into the federal camp, his captors, according to custom, explored his haversack. "And such a yell as they gave!" said the old soldier in Baltimore the other day—he lives in Baltimore—"You would have thought I was receiving an ovation. I had in my haversack an ear of corn and two old cabbage stalks that I had pulled up in a garden—the last year's

growth. It was all had, and I had been nibbling on them since the day before.

"Johnny," said one of the yankees, "if I'd been you I'd deserted two years ago."

"But I ain't that kind of a Johnny," said T. "Life ain't worth much anyhow, but to live and be a deserter too would make it not worth living at all."

It was kept a prisoner for a month after Lee's surrender. I got pretty sick of that kind of government they gave us in Virginia for several years after the war, and I came here to get under a decent one. I've been here nearly twenty years and I have been working hard for a living, but I would rather go back to my ear of corn and cabbage stalks than go back to the black-and-tan days of 1870 in old Virginia.

SAVED BY THE GOVERNOR.

Why a Vile and Hardened Criminal Did Not Get His Pardon.

In one of the Indiana prisons is a convict who is serving a life sentence for the commission of one of the most horrible crimes, says the Indianapolis News.

It has been said that no man is so bad that he has not friends. The friends of this man from the beginning of his sentence have never ceased to work for his pardon. Influential citizens and public officials have been induced to write personal letters to all the governors who have held office since his term of confinement began. Petition after petition has been prepared and hundreds of signatures secured.

It is related that at one time a governor was almost persuaded to pardon the man. The sentiment in his favor seemed fairly overwhelming. As a last precaution he sent for his private secretary to talk over the whole case with the prisoner himself. The prisoner told his story forcibly, but so glibly as to indicate that he had carefully prepared it and committed it to memory. As his recital closed he drew a photograph of a beautiful young woman from his pocket.

"The first thing I shall do when I am released will be to marry this girl," he said.

"Who is she?" asked the visitor.

"She is Miss M—," he replied, "and is the daughter of one of the richest and proudest families in the city of Ohio. She will marry me the minute I am set free."

"How do you happen to know her?"

"O, that's all right. She visited the prison one time and I got acquainted with her. She fell in love with me at first sight. Don't worry about me. I'm sold with her."

The secretary looked at the photograph again. The face shown there was delicate and refined, and every line indicated the confidence of a young girl. He looked at the prisoner. In his eye was a wicked look of triumph. Evil and sin were stamped upon every feature. When the secretary made report to the governor he told the story of the photograph. The chief executive, who had over it awhile, then, bringing his flat down upon his desk with a force that set all his light furniture to rattling, he said:

"The photograph settles it. That sweet girl and the happiness of her home and friends must not be subjected to ruin and misery by any act of mine. The prisoner must serve his time."

HOW TO KEEP WARM.

A Simple Method of Preserving the Body's Warmth.

From the North-West Magazine.

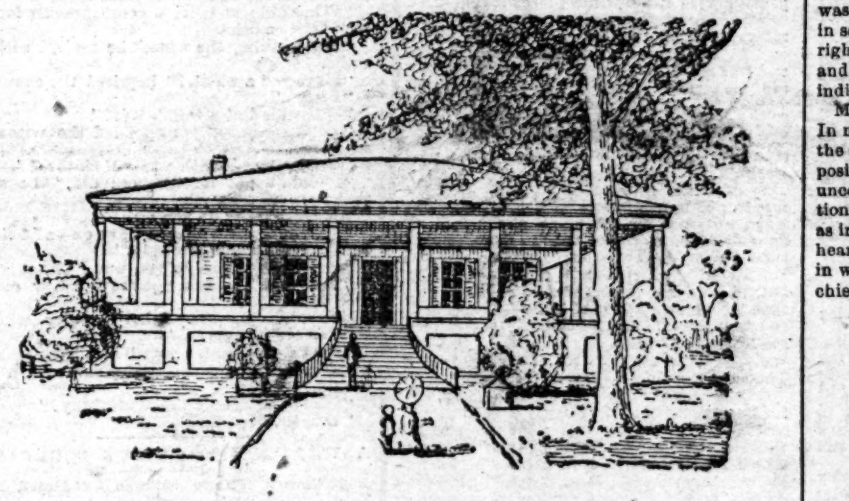
It may not be generally known that, when exposed to severe cold, a feeling of warmth is readily created by repeated rubbing of the hands.

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JEFFERSON DAVIS DURING THE WAR.



BEAUVOIR—THE HOME OF JEFFERSON DAVIS.



MRS. VARINA DAVIS.



MISS WINNIE DAVIS.



## A MESSAGE OF THE STREAM

Will N. Harben, in the Youth's Companion.

This is another Georgia story by the Georgian writer for some time well-known to the readers of THE CONSTITUTION, and now generally introduced to the reading public of the country through Cassell and Company's flattering prospectus of his coming book.

The scene is Beacon Hollow, a cliff-bound

and almost sunless retreat in the Conchita mountains, and the story is that of a moon-

Jeff, in a cabin built over the mouth of a cave in which the still was hid.

After the opening description of the man and his surroundings, the story runs thus:

The inmates of the cabin had lived in this manner for years, when one day the routine took on a new phase. The head of the family, wild-eyed and breathing quickly, hastily mounted his mule, and urged him down the road toward the nearest settlement. He was

"Is that you, Jeff?" she asked. "It's powerful dark in here. T'other cabin had a window, an' the door wuz bigger'n this 'n'. Is it night or break o' day, Jeff? I can't see the sky from w'her I am. It's as cold as the cave. Seems like it orter be daylight by this time; it seems like the rooster crowed."

"Ma, its day already!" the boy said, chokingly. "It's nigh 'bout dinner-time. You've been asleep. Pap's gone after the doctor."  
"Jeff?"  
"Yes, ma."  
"Jeff, of this yer dark aint night, I'm nigh death's door, sartin. I've been afeard for the last day or so that I'd never rise, an' now I'm shore uv it, I cayn't see, nor hardly hear my own voice, it sounds jes' like I wur kivered with roarin' water."  
"Pap'll be back terrectly, an' 'll fetch Doc!"

"No, Jeff, I'm a stunkin'. The' aint no use tryin' ter git round it. I hain't got long," she began to cough violently. "I hain't got long; mebbe not tell Dave gits back. Jeff, son, gi' me your hand," she said, groping in the air toward the sound of his voice. "O, Jeff, I can't go no fur'r to my grave with all this on me. I can't stay. I think that me

"It's been o' my mind a long time. We're been a-makin' no crack, that makin' drunk-ards wherever it goes. Joe Banks, down at the cove, at killed him'st last spring in a drunken spasm, on the 'tude 'taste o' liquor from our make. Mobbe the Lord's got it not in his blood. I wish, I wish I had."

"Promise me, Jeff, to persuade your pap to give it up. I won't be alive when he comes, but tell 'im what I said. I tried to keep 'im from goin' at it long 'go, but he had his head set on makin' money, an' I couldn't turn 'im."

"Jeff, your granma an' pap never 'ud dream we's a-livin' like this. They're God-fearin' Christians, an' live up to the're professions. The revenue officers is apt to come

"Jes'm, but the aint no use in a-gittin' skeerd. Nobody 'u'd ever have any ideas what our still is. The aint a man nor woman 'at knows o' the cave 'sides us. Them 'at comes after liquor 'lows it's made somer's up the mountain."

"Jef, the sick woman continued, her fears not quieted, "Jef, we haint seed a contented day since we've been here. Your pap is gittin' gray-headed under it. He can't rest at

night; the least crack uv a stick'll make 'im jump out'n bed to look out the door. I hain't had a woman inside o' my house sence we moved here, an' when we go to meetin' the folks look mighty close at us, an' never shake hands with us after meetin', like they do with some.

Now promise me, Jeff—it's my last wish—promise me you'll never tetch your han' to makin' whiskey agin—no odds what your pap says—an' at you'll do your best to turn him. That'll make me die easy, an' nothin' else

"All right, ma," the boy said, with anguish in his tones, "I'll do it," and tears rolled down his cheeks.

"What wuz that, Jeff?" asked the woman, excitedly.

The boy had heard it, too, and moved breathlessly to the foot of the bed, so that he could look out of the open door down the path that approached the hut.

Two men were coming, with Winchester rifles slung over their shoulders and revolvers

"Hello!" cried one of them at the door.  
 Casting a quick, anxious glance at his mother's expectant face, Jeff went to the threshold.  
 "Does Dave Martin live here?" one of them asked.  
 "Yes, sir," replied the boy.  
 "Is he about the house?"  
 "No, sir; he's gone after the doctor. Mother is mighty low."  
 The men turned aside and whispered to-

"It looks mighty like a put-up job!" one of them muttered. "I've seed a lot of this puttin' on. Perhaps she ain't sick an' the man's hid some'n about."

He went to the bed, looked into the dying woman's face, sprang back in horror and clutched his companion by the arm. The ghastly features were working in the throes of death.

"Jeff!" she gasped, and the boy bent over her to catch her words. "Jeff, tell your man—"

The cabin roof was for the first time sheltering the dead.

The boy sank on his partly-covered knees to the cushioned floor at the bedside, and covered his face with his hands. The two men stood as if unable to move, a strange mingling of regret and awe on their faces. Presently one of them went to the sobbing boy, and touching him kindly on the shoulder, said: "Bud, forgive us, we've done you wrong. We thought you might be moonshiners."

The boys raised a ~~ghost~~ dejected face, damp with his tears, and said: "It wasn't your fault. She was dyin' anyway."  
"We'll hurry down the mountain," said the man, "and send up some women folks to 'tend to the body.'"  
The officers hastened away. If their ears had been as alert as usual, they would have detected the sound of running water beneath the cabin; but the death-bed scene had thrown them entirely off their guard.  
Some women came from the nearest houses

Next day the little log meeting house at the foot of the mountain opened its door. Women with close sunbonnets hiding their heads, and men and boys, without coats and shoes, gathered from the mountain recesses and the valleys, and filled the seats. They sat silent and patient, waiting for the funeral party to arrive from Raccoon Hollow.

held the bride and walked at the mule's head, leading him slowly down the uneven and sinuous road. Jeff, wearing under his soiled suspenders a clean shirt which the cold hands in the coffin had washed and ironed, walked at the side of the jolting vehicle, now and then putting out his hand to draw the coffin back into the wagon's middle. Behind walked six or eight women neighbors.

The meetinghouse reached, men standing on doors lifted the coffin, carried it into the building and placed it on a table in front of

The preacher read a hymn, using the dialect of the mountain people, and prayer was offered. Then a short sermon was delivered, and the service was over.

Behind the meeting house was a graveyard. A few small marble slabs marked some of the graves, but the lowly habitations were denoted often by the unsmoothed stones placed at the head and foot, or by decaying planks driven into the ground. Here the remains of Mrs. Martin were laid. The burial over, Dan

Early the next morning, ere Jeff had summoned sufficient courage to broach the subject

**MEDICAL**  
**Like M**  
The effect produced by  
pectorals. Colds,  
are in

Sore Throat  
med

I have used Ayer's  
my family for thirty  
days found it the  
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oklyn, N. Y.

From an experienced  
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**Ayer's Cherry**  
PREPARED

Dr. J. C. Ayer &  
Price \$1; six bottles, \$5.  
DUC DE MO

EXTRA

CHAMBERLAIN  
—SOLE—

JOSEPH T

23 Decatur St.  
Quarts, Pints and Half  
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**LOTT**  
OF THE PUB  
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BY

**MEX**  
**NATIONAL**  
Operated under a two  
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Grand Monthly Draw  
Pavillion in the Alame  
publicly conducted by  
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**BENEFICENT**  
The Monthly For  
will be  
**CITY OF MEXICO ON**  
**CAPITAL P R**  
80,000 Tickets  
Price of Tickets.

| Wholes.     | Est.                  | Halves | LIST OF |
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| 1           | Capital Prize of \$ 6 |        |         |
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| APPROXIMATE |                       |        |         |

200 Prizes of \$80 approx  
 \$80,000, prize.....  
 150 Prizes of \$50 approx  
 \$20,000, prize.....  
 150 Prizes of \$40 approx  
 \$10,000, prize.....  
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 2276 Prizes amo  
 All Prizes sold in the U  
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AGENTS

**AGENTS**  
**FOR CLUB RATES, or**  
 desired, write legibly to  
 stating your residence, w  
 and number. More rap  
 be assured by your encl  
 Your full address  
**IMPO**  
 Add

By ordinary letter, or  
mailed by all express  
change, Draft or Postal

**SPECIAL.**  
By terms of contract  
the sum of all prizes in-  
cluding a single ticket,  
official permit:

**CERTIFICATE.**—I hereby  
London and Mexico has  
funds to guarantee the  
by the Loteria de la Ben-  
AMOLIN

Further, the company  
fifty-six per cent of the  
price—a larger proportion  
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Finally, the number of  
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**ALEXAN**

**TONIC  
PILLS**  
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**Cholera Inf**  
**Cholera Mo**  
**Pile Ointme**

These medicines are  
C. O. Tynner, Stoner,  
Wanger, Sharp Bros.,  
Goldsmith & Co., M.  
Smith & Hightower, L.  
Sons. At Wholesale by  
June 17, 1888



## MEDICAL.

## "Like Magic,"

THE effect produced by Ayer's Cherry Pectoral, Coughs, Croup, Whooping Cough, and all the ailments of the Throat are, in most cases, immediately relieved by its use.

It strengthens the vocal organs, allays irritation, and prevents the invasion of Consumption; in every stage of that dread disease, Ayer's Cherry Pectoral relieves coughing and induces refreshing rest.

"I have used Ayer's Cherry Pectoral in my family for thirty years and have always found it the best remedy for all the ailments of the Throat."

"From an experience of over thirty years in the sale of proprietary medicines, I feel justified in recommending Ayer's Cherry Pectoral. One of the best recommendations of its popularity, it being more salable now than it was twenty-five years ago, when its great success was considered marvellous."

"My little sister, four years of age, was so ill from bronchitis that we had almost given up hope of her recovery. Our family physician, a skillful man and of large experience, pronounced it useless to give her any more medicine; saying that he had done all that was possible to do, and we must prepare for the worst. As a last resort, we determined to try Ayer's Cherry Pectoral, and I can truly say that a few doses she seemed to breathe easier, and within a week, was all of a sudden cured. We continued giving the Pectoral until satisfied she was entirely well. This has given me unbounded faith in the preparation, and I recommend it confidently to my customers." C. O. Leper, Druggist, Fort Wayne, Ind.

For Coughs and Croup, take

**Ayer's Cherry Pectoral,**

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass.

Price \$1; six bottles, \$5. Worth \$5 a bottle.

**DUO DE MONTEBELLO**

**EXTRA DRY**

**CHAMPAGNE**

**JOSEPH THOMPSON**

23 Decatur St., Kimball House.

Quarts, Pints and Half Pints in Half Baskets

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**LOTTERY**

OF THE PUBLIC CHARITY.

Established in 1878

BY THE

**MEXICAN**

**NATIONAL GOVERNMENT.**

Operated under a twenty years' contract by the

Mexican International Improvement Company.

Grand Monthly Drawings held in the Mexican

Capital in the Alameda Park, City of Mexico, and

publicly conducted by government officials ap-

pointed by the President or the Secretary of the In-

terior and the Treasury.

**LOTTERY**

OF THE

**BENEFICENCIA PUBLICA.**

The Monthly Four Dollar Drawing

will be held in the

CITY OF MEXICO ON DECEMBER 15th, 1889.

**CAPITAL PRIZE \$50,000.**

\$50,000 Tickets, at \$250.00.

Price of Tickets, American Money.

Wholesale \$4. Half Retail \$5. Quarters, \$1.

**LIST OF PRIZES.**

1 Capital Prize of \$50,000 is \$50,000

1 Capital Prize of 20,000 is 20,000

1 Capital Prize of 10,000 is 10,000

1 Grand Prize of 2,000 is 2,000

5 Prizes of 1,000 are 5,000

5 Prizes of 500 are 2,500

20 Prizes of 100 are 2,000

20 Prizes of 50 are 1,000

50 Prizes of 20 are 1,000

50 Prizes of 10 are 500

50 Prizes of 5 are 250

50 Prizes of 2 are 100

50 Prizes of 1 are 50

50 Prizes of 50 cent are 25

50 Prizes of 25 cent are 12.50

50 Prizes of 10 cent are 5

50 Prizes of 5 cent are 2.50

50 Prizes of 2 cent are 1

50 Prizes of 1 cent are .50

50 Prizes of 50 cent are 25

50 Prizes of 25 cent are 12.50

50 Prizes of 10 cent are 5

50 Prizes of 5 cent are 2.50

50 Prizes of 2 cent are 1

50 Prizes of 1 cent are .50

## SUPREME COURT.

DECISIONS RENDERED WEDNESDAY, DECEMBER 4, 1889.

Hon. L. E. Blackley, Chief Justice, and Hon. M. H. Bradford and T. J. Simmons, Associate Justices, Presiding—Reported by Peoples and Stevens, Supreme Court Reporters.

**James v. Findley.** Motion to set aside judgment, from Hall. Distress warrant, Attorneys' fees. Principal and surety. Judgment. Reply bond. Set-off. (Before Judge Wellborn.)

Attorneys' fees, though embraced in a promissory note given for rent, are not collectible by distress warrant, and the surety on a reply bond growing out of a distress warrant is not liable for such fees. If they are included in a judgment entered up against him when the issue on the warrant was disposed of, the judgment may be purged of the same on motion, but the whole judgment will not be set aside because of such error as to a part, the judgment showing on its face much of it to be erroneous.

2. Where the result has been reached which was designed and intended by the surety in executing a reply bond, the judgment thereon will not be set aside for irregularity in treating the bond as accepted, and returning the papers into court for trial of the issue.

3. Where the surety on a reply bond signed the same, knowing that by reason of a previous claim in respect to which he was surety upon a forthcoming bond given by the claimant, the property would not be delivered to his principal in the reply bond as a result of giving that bond, the non-delivery of the property will not render the reply bond invalid. Nor is it material that a portion of the property had been found not subject to the trial of the claim when the reply bond was given. In order to reply any of the property levied upon under a distress warrant, a bond covering the whole condemnation money is necessary.

4. A distress warrant cannot be resisted by a set-off which has no connection with the contract or the demand premises. But for the plaintiff to pay the set-off debt instead of withholding payment for the benefit of the surety on the reply bond, must entitle the surety to a release from the judgment as to an amount equal to that so paid voluntarily by the creditor.

5. It is no wrong to the surety on a reply bond for the counsel of his principal to forbear urging a defence which is not available, or to admit the truth as to the genuineness of notes and the consideration for which they were given.

Judgment affirmed, with direction.

M. L. Smith and Perry & Dean, for plaintiff in error.

W. F. Findley and J. B. Estes, contra.

**Gainesville, Jefferson and Southern Railroad Co. v. Martin.** Case from Hall. Action. Contracts. Accord. Before G. H. Prior, Esq., Judge pro hac vice.

Blairford, J.—Where an action is pending to recover damages against a railroad company for stopping up plaintiff's sewer pipe, and defendant agrees that if plaintiff will discontinue the action, he will pay the costs and keep the pipe open, and the action is dismissed, and costs paid, but defendant refuses to keep the pipe open, an action will lie at the instance of the plaintiff against the defendant for breach of this contract.

Judgment affirmed.

S. C. Dunlap, for plaintiff in error.

W. F. Findley and J. B. Estes, contra.

**White v. Schofield et al., and vice versa.**

Ejectment and cross bill of exceptions, from Rabun. Ejectment. Amendment. De-

murrer. Evidence. Deed. Notice. Non-suit. Before Judge Wellborn.

Blairford, J.—An action of ejectment in the common law form can be amended by setting forth plainly, fully and distinctly the ground upon which the real plaintiff relies for recovery; so a general demurrer to such an amendment was properly overruled.

(a.) If there had been a special demurrer to the amendment as to the relief prayed in this case, the same should have been allowed.

2. Plaintiff relied upon a grant of James Holt; that Holt died, seized and possessed of the land leading six heirs, one of whom married Hutchins, who by his marriage, and his rights became seized and possessed of an undivided sixth interest in the land, and who by deed conveyed said land to William Beale; that Beale, by his agent and attorney in fact, James Beale, conveyed the land by deed to Brisbane and White; and that White conveyed his interest to her. Further, that Hutchins as attorney in fact for the other heirs of Holt after the death of Hutchins to William Beale, made a deed to Nichols by which he conveyed to him five sixths of the land; that Nichols bought with full knowledge of the rights of Brisbane and White, and after his purchase, disclaimed title to the one sixth and admitted that Brisbane and White were the true owners thereof, etc., but notwithstanding pretended to sell all of the lot to Moss and Childs, who bought with full notice of the rights and title of plaintiff, etc.

Hence, when plaintiff tendered in evidence a quit claim deed from Hutchins to Wm. Beale to the land, and a deed which purported to have been made by James Beale as attorney in fact for Wm. Beale, also a power of attorney purporting to have been signed by Wm. Beale authorizing James Beale to sell the land and collect the money therefor, and plaintiff afterwards offered evidence tending to show that James Beale, as agent of Wm. Beale, had been in possession of some portion of the land, it was error to reject the last mentioned deed and the power of attorney, even if the evidence did not show seven eighths possession under the same.

Under the facts of the case as stated in the amended declaration set forth substantially above, the deed was admissible, whether any possession had been shown in James or Wm. Beale or in Brisbane and White under the same.

3. Letters written by Nichols to Brisbane and White, in which he offered to purchase their interest in the land and recognized that they had a claim to a portion of the land, were admissible in evidence as the case stood.

Whether this testimony could have been anything to plaintiff against Moss and Childs, would depend upon whether plaintiff could have shown that they were the true owners of the land at the time they purchased had knowledge of these admissions.

If they were bona fide purchasers from Nichols, without notice of the admission, this testimony would not have been competent; but the court rejected the testimony, and, having done so, testimony as to any knowledge which they had of these admissions would have been inadmissible.

4. If the decisions of the court below in ruling on the testimony above mentioned had been correct, it would not have been error to grant a nonsuit.

Judgment reversed.

Payne & Hull, for plaintiff in error.

Barrow, Erwin & Thomas, contra.

**Swafford v. Berrong.** Trover, from Rabun.

Courts. Contempt. Municipal Corporations. Executions. Before Judge Hutchins.

Simmons, J.—1. Under the law of this state, code §520, paragraph 1, and 203, inferior courts not of record have the power to fine for contempt.

(a.) The charter of the town of Clayton constitutes the town council a court, and gives it "full power and authority to punish all offenders against the laws, rules and regulations of said town by fine and imprisonment, either or both." (Acta 1874, p. 124.) Being, therefore, a court having judicial powers, it had the power, under section 206, "to prescribe and enforce order in its immediate presence." And to do this, if it became necessary, it had a right to inflict a fine.

(b.) If the legislature should fail to enact a law limiting the power of the courts to punish for contempt, such failure to restrict the power would not destroy the power itself. But it seems that the law has in fact limited the power of courts of this kind, since in England, as well as in this country, a justice court is made the standard of an inferior court of record. Hence, it seems that the court in question here is limited in its power to fine to the extent of the power conferred upon justices of the peace.

(c.) But the charter of Clayton itself limits this power, since it declares that no fine inflicted by the common council shall exceed \$20, and while this applies to fines for violation of the laws, rules and regulations of the town, its restrictive element also applies to fines for contempt.

2. The charter authorizing the issuance of execution and levy and sale thereunder for all assessments, fines, pains and penalties, the town council had power to issue executions to

collect the fine for contempt and have it levied on the property of the offender and have it sold.

Judgment reversed.

W. S. Paris and Barrow and Thomas for plaintiff in error.

J. N. Merritt and J. B. Jones, by brief, contra.

**SUPREME COURT OF GEORGIA.**

October Term, 1889.

Order of circuit, the number of cases remaining undispensed of:

Blue Ridge..... 4 Paternal..... 17 Charokoe..... 23 Southwestern..... 17 Home..... 10 Albany..... 20 Corvick..... 7 Southern..... 1 Flint..... 10 Brunswick..... 2 Oconee..... 1 Macon..... 18 Eastern..... 16 Chattahoochee..... 1

**PROCEDURES YESTERDAY.**

After delivery of decisions, the following cases of the Northern circuit were argued:

No. 10. Maddox v. Bramlett, from Hall. J. B. Estes, H. Thompson, S. C. Dunlap, for plaintiff in error.

W. F. Findley and Perry & Dean, contra.

No. 11 and 12. Faulkner v. Faulkner, from Hall. J. B. Estes and W. F. Findley, for plaintiff in error.

Perry & Dean, for plaintiff. W. F. Findley, for defendant.

No. 13. Boswell v. Underwood, from Hall. G. H. Finch and Boswell, for plaintiff. Perry & Dean, for defendant.

No. 14. Palmont & Smith v. Johnson, from Hall. Perry & Dean, for plaintiff. W. F. Findley, G. H. Prior and W. F. Findley, for defendant.

**BLUE RIDGE CIRCUIT.**

No. 1. Leonard v. State, from Charokoe. G. D. Phillips and C. D. Maddox, for plaintiff in error.

George B. Brown, solicitor-general, for the state.

No. 2. Andrews v. State, from Cobb. W. A. James, for plaintiff in error. G. B. Brown, solicitor-general, and J. A. Alexander, for the state.

No. 3. American Marble Company v. Deik, from Cobb. Clay & Blair, for plaintiff in error. C. D. Phillips and Foster, contra.

Pending argument the court adjourned to Friday morning at 9 o'clock.

**Catarth originates in scrofulous taint in the blood.** Hood's Sarsaparilla eradicates every impurity from the blood, and thus promptly and permanently cures catarrh. Give it a trial.

**John Hoff's Malt Extract** has wonderful tonic and nutritive properties that have made it so popular. Quite naturally, imitations have come into the market, against which the public should be warned. See the "Johann Hoff's" signature on the neck of the bottle. Eisner & Henderson Co., sole agents, 6 Barclay st., New York.

**MACON, Ga., February, 1881.**

Dear Sir—A few applications of Sarsaparilla cured my case of catarrh. Proud flesh had formed and the smell was offensive. I think it a good thing for any kind of sore. Yours truly,

Bradyorothy is a medicine to cure catarrh. Bradyorothy M'G Co., Macon, Ga.

**Popu Lar, Pure, Fine, Uniform, Best Cheapest, Justly Priced, Tough Chew, Favorite Brand, Has No Equal, Easiest to Swallow, Gives a Good Profit, Queen of Tobacco.**

The New York Ledger contains the first of Mr. H. W. Grady's letters on "The South." Everybody who reads it will be convinced that it is of John M. Miller, Opera House Bookstore.

**SIMMONS**

**LIVER**

**REGULATOR**

**UNFAILING SPECIFIC FOR LIVER DISEASE.**

It acts with extraordinary power on the

**LIVER, KIDNEYS, AND BOWELS**

—AN EFFECTUAL SPECIFIC FOR—

Malaria, Bowel Complaints, Dyspepsia, Sick Headaches, Constipation, Biliousness, Kidney Affections, Jaundice, Mental Depression, Colic.

If you are miserable suffering with Constipation, Dyspepsia, Biliousness, or Kidney Affections, seek relief at once in Simmons' Liver Regulator. It does not require continual dosing and costs but a trifle.

—Large red Z on front of each wrapper—

J. H. Zellen & Co., Philadelphia, Pa. Sole Proprietors. Price, \$1.00.

See that you get the genuine. Distinguished from frauds and imitations by our red Z Trade-Mark on front of wrapper. J. H. ZELLEN & CO., PROPRIETORS.

sun wd fri wk tot col urn or fol n r m

**CHASE & SANBORN'S**

**SEAL BRAND**

**JAVA & MOCHA**

**COFFEE**

**BOSTON COFFEES**

**FREE**

A PERFECT ART ALBUM CONTAINING 24 BEAUTIFUL PHOTOGRAPHS REPRESENTING THE LARGEST BOTTLE FOR 25 CENTS. WILL BE SENT ON RECEIPT OF YOUR ADDRESS. CHASE & SANBORN, 125 BROAD ST., BOSTON.

nov10-dmpt sun wd fri wk tot col urn or fol n r m

**MINARD'S**

**"KING OF PAIN."**

**LINIMENT**

**A RELIABLE REMEDY**

For Pain of All Kinds.

Rheumatism, Neuralgia, Hoarseness, Sore Throat, Croup, Cuts, Burns, Scalds, Cuts, etc. Most Economical Medicine in the World. Should be in every family.

LARGE BOTTLE FOR 25 CENTS. ALL DRUGGISTS. NELSON & CO., Boston.

oct10 sun wd fri wk tot col urn or fol n r m

**What Scott's Emulsion Has Done!**

Over 25 Pounds Gain in Ten Weeks.

Experience of a Prominent Citizen.

THE CALIFORNIA SOCIETY FOR THE SUPPRESSION OF THE SALT TRADE. SAN FRANCISCO, July 10, 1888.

I took a severe cold upon my chest and lungs and did not give it proper attention; it developed into bronchitis, and in the fall of the same year I was threatened with consumption. Physicians ordered me to a more congenial climate, and I came to San Francisco. Soon after my arrival I commenced taking Scott's Emulsion of Cod Liver Oil with Hypophosphites regularly three times a day. In ten weeks my avoirdupois went from 155 to 180 pounds and over; the cough meantime ceased. C. R. BENNETT

SOLD BY ALL DRUGGISTS.

## MISCELLANEOUS.

Tough and brittle glass are not so far apart as black and white; but they are far enough apart to make it worth while to distinguish between them.

We have not succeeded yet in making glass griddles or tea-kettles tough enough to put on the stove; but we have succeeded in making glass lamp-chimneys tough enough to bear a melting flame without breaking.

Macbeth & Co., Pittsburgh, make the "pearl-top" chimneys.

**[WHY? YOUR LIVER**

**IS OUT OF ORDER**

You will have RICK HEADACHES, PAINS IN THE SIDE, DYSPEPSIA, POOR APPETITE, feel listless and unable to get through your daily work or social enjoyment. Life will be a burden to you.

**DR. C. McLANE'S**

**LIVER PILLS**

Will cure you, drive the POISON out of your system, and make you strong and well. They cost only 25 cents a box and may save your life. Can be had at any Drug Store.

BEWARE OF COUNTERFEITS made in St. Louis.

**IVORY POLISH**

PERFUMED THE BREATH. ASK FOR IT.

**FLEMING BROS., - Pittsburgh, Pa.**

**The Purest and the Best.**

This is an age of adulteration and cheap goods. Most every article has its counterpart in something cheaper. Groceries are adulterated in almost every conceivable form. Take sugar, for instance. It is very seldom you can get the pure, genuine stuff.

It is that way with Tobacco and Cigars. Probably in no business is the adulteration carried to such an extent as it is in cigar making. It is right cleverly done, too. A fair looking and unobjectionable wrapper is filled with trash; merely the pickings and scraps around a tobacco factory. The filling is subjected to chemicals, and furnishes a right decent smoke for the time being. In fact, you can hardly tell whether you are smoking a strictly pure Havana cigar or one of a cheap and adulterated grade. The effect may be observed afterward. While a cheap cigar may be smoked with almost as much pleasure and scarcely feel the effect at the time, yet it will have a deleterious bearing on the human system. There is wherein the danger lies in smoking cheap cigars. It is an old saying, and one that is strictly true, that "it is the best to get the best." Good goods, pure goods, are never hurtful. Instead of having a hurtful character, they have more of a building up, invigorating effect. There is nothing so invigorating, so restful, so delicious, and that drives away care more effectively than a real first-class cigar.

It is our intention to call your attention to two brands that have the approval of connoisseurs all over the country. These brands have been weighed in the balance and found not wanting. To a thoughtful person it is almost useless to call their attention to these brands. They know them. They have used them. The brands of the cigars referred to, are:

**"The Rabbit Foot."**

**"The Three Kings."**

They are manufactured by the celebrated house of Lichtenstein Bros., of New York, and are sold to the trade by Harralson Bros. & Co., of this city. Lichtenstein Bros. are probably the best cigar manufacturers in America, and turn out only the very best class of goods. These cigars are retailed at 5 cents. They are regarded by many to be as good as the regular 10-cent cigar. They are sold to the southern and southwestern trade through the large wholesale house of Harralson Bros. & Co. So popular have they become since being placed on the market that there is scarcely a town throughout the southeastern states that these cigars are not well and favorably known. If you have not had opportunity to buy them, send your dealer to order you a box. They furnish a mild, pleasant, restful smoke. sun tueste

**SHOWING THE RICE COIL SPRING**















## DALE UNDER ARREST.

IDENTIFIED BY HIS BROTHER-IN-LAW AS NUTTALL.

The Sensational Culmination of an Investigation of the Character of the Atlanta Preacher, Whose Trial Will Be Today.

John Osborne Herbert Nuttall—Fountain—Dale, or words to that effect is under arrest. He spent a portion of yesterday in cell No. 1, at the stationhouse, but about 7 o'clock he was taken out and sent up to the captain's room and a guard placed over him.

Wednesday evening Rev. W. R. Dale, as he is known in Atlanta, returned from Rockmart. He did not go directly home, although he had been away for several days, and Mrs. Dale left her home, as is her custom when her husband is away, and went to spend the night with Deacon Smith, a neighbor in Bellwood.

It was nearly 10 o'clock when the husband returned, and nobody knew just what steps he was going to take.

Yesterday morning he came into the city, and Captain W. P. Manly, of the police force, put him under surveillance at once.

The scheme was to wait until a convenient opportunity and get up an accidental meeting between him and a gentleman who was to identify him.

But later in the day Chief Connolly was informed by Patrolman Goodson that Dale was going to slip out, and he at once sent Call Officer Walton and Patrolman Smith to arrest him.

Mr. Dale was found at the office of one of his attorneys and arrested. He submitted quietly, and was carried to the stationhouse. It was then about 11 o'clock.

THE KEMESIS.

The Air-Line train pulled in from Charlotte just at this hour, and from the first-class coach stepped a tall, well-built gentleman, with a brown beard and mild blue eyes in which there was a calm, self-possessed look of determination that was unmistakable even to a stranger.

It was Nuttall's nemesis.

Mr. George B. Horton, for it was no other than he, is a brother of the woman so cruelly wronged by Nuttall, and as soon as he left the cars he went directly in search of Judge Pendleton.

He had been sent for by the committee of churchmen for the purpose of proving whether or not Mr. Dale was identical with the fugitive bigamist, Nuttall.

After a few minutes' conversation Mr. Horton, accompanied by Judge Pendleton, walked down to the corner of Alabama and Pryor streets. It had been pre-arranged among the committee that Mr. Dale should be carried past that corner at 12:10 p. m. sharp, and Judge Pendleton said:

"We will wait right here, Mr. Horton, for I think they will bring the man by here in a few minutes."

They had not long to wait. Captain Manly told Mr. Dale that they would walk up to the Christian Index office so that the matter could be investigated, and the two walked up Pryor street together.

AS THEY WALKED UP THE crowded street Mr. Horton's eye wandered from one to another until he saw Mr. Dale, and then he remarked:

"Why, yonder is the man. That is Nuttall. I know him just as well as I know my own brother, whom I lost yesterday."

Arriving at the Index office Mr. Dale was carried into the last vacant room down the corridor, on the left, and ushered into the presence of Mr. A. D. Adair, Rev. Dr. MacDonald, Mr. H. H. Tucker and Mr. Mac, who is one of Mr. Dale's attorneys.

In a few minutes Judge Pendleton arrived with Mr. Horton, who was ushered into the room.

For an instant Mr. Horton stood with his eyes fixed on the man accused. Mr. Dale's eyes rested restlessly over, under and around Mr. Horton's figure, but never once did he look the man straight in the eyes.

His face grew a shade paler, but otherwise he exhibited no signs of emotion.

"Yes, that is Nuttall," said Mr. Horton, quietly, as he took his seat.

"This is the gentleman whom we sent for from North Carolina to identify you," remarked one of the committee.

After the silence was broken, Mr. Dale appeared more at ease, and the committee began to question him so as to draw him out.

"I never saw that man in my life before," he said.

"Gentlemen," said Mr. Horton, as he saw the drift of the talk, "I see what you are up to. It is no use to carry this thing any further, I know him just as well as I know my own brother. I would know him in Egypt, and I am just as sure that he is J. O. H. Nuttall as I am that I am alive."

"How old was that man who married your sister?" asked Mr. Dale.

"I couldn't tell you, to save my life. I couldn't even tell you what year they were married. But I know that you are the man."

"Why, you stated to a CONSTITUTION reporter that Nuttall had brown eyes. My eyes are blue."

"You are mistaken. I never saw THE CONSTITUTION reporter. Perhaps my brother did, but I don't care anything about the color of your eyes. I knew you when I first saw you on the street."

HE WAS EXCITED.

"I never saw you before in my life and"—Mr. Dale spat on the floor, "and you are mistaken in the man."

A few more words passed, all quiet and dispassionate, and then Mr. Henry Hillyer closely followed by Mr. A. E. Thornton came in. The story of identification was again gone over, and then the conference ended.

Right here it is proper to state that the committee requested that THE CONSTITUTION correct certain published statements that appeared in an afternoon paper, as to Mr. Horton's having used any opprobrious epithets. His conduct was quiet and gentlemanly throughout the ordeal to which he was subjected, and which would have unnerved a man of less nerve than the North Carolinian, who traveled so far to satisfy himself as to the identity of the man who so ruthlessly wronged his sister.

Captain Manly conducted his prisoner to the stationhouse, and on the way the latter remarked:

"I wish I may drop dead this minute if I ever saw that man before. But this is the proper way. Let them bring that woman here. She ought to know me, if anybody does."

At the stationhouse he lit a cigarette, which he puffed as his restless gaze wandered around the room.

"Well, he identified you," said a reporter; "have you anything to say now?"

"No, this is not the time to say it," he replied, "but I have ample evidence to prove my identity."

"How long have you been here?"

"I have been in and around Atlanta for ten years. I can establish myself as being just what I have represented."

"Did you get enough evidence around Rockmart to prove yourself?"

"Well, that depends upon how far back they go. This man Horton claims to know me away back, even before my time. Look here," said he, turning to Chief Connolly, "I am getting tired of this. I want some steps to be taken to protect me from that man."

"He says he cares nothing more about the case."

"Well, I shall see that he is made to care," said this voice shook with angry emotion.

"It becomes my painful duty to search you, sir," said Stationhouse Keeper Foote.

"Very well, sir. Do your duty."

APPEARANCE OF THE PRISONER.

The prisoner was neatly attired in a black suit, with a white shirt and a white necktie. He looked like a minister, and his face was smoothly shaven and the hair was carefully trimmed

about his neck. His features are strongly marked, prominent nose and chin and dark blue eyes deep set under an intellectual brow. But his hair is peculiar. It is what might be termed a bright chestnut color, and, although the man's face looks forty-five or fifty, there is not a gray hair on his head.

It has the appearance of being dyed, and is kept constantly oiled or dampened.

This was remarked by the ministers immediately after the investigation began, and few believe that his hair is of its original, natural color.

He was placed in cell No. 1, and there he remained in company with an under-aged youth, who had been convicted of going into a barroom and fined \$5.75 by Judge Anderson.

MR. HORTON TALKS.

Mr. Horton went down to call on his friend Mr. Fetter, of Fetter & Pharr, and the greeting was very cordial between the two friends, who have known each other a long time.

"Did you see the Nuttall?" he asked Mr. Fetter.

"Why, certainly I did. I know him as readily as I know you. If I had a million, and was a gambling man, I'd bet it against a thousand that he is Nuttall."

"I tell you I had a great many misgivings when I started, and told my brother that I dreaded to go to Atlanta for fear I wouldn't be able to say yes or no. But the man was under a cloud. The committee had written me that his character was in jeopardy, and I decided that it would be an act of injustice to him in case it was not Nuttall, for me not to go and satisfy myself and them as to his identity."

"But the minute I saw him on the street, it flashed all over me in an instant. I knew him as well just as I know my brother."

"With his beard off, and all?" asked a listener.

"I didn't have to look at his beard, nor even his face to tell that it was Nuttall. His very walk, the way he carried his chin and head, and the way he looked at me, it was impossible for me to mistake him."

"Will you prosecute him?" he was asked.

"No, I care nothing about him. Still, since I left the committee meeting I feel just like I ought to be in the penitentiary. In some communities they would hang that man for what he has done. I am not an advocate of any such thing, myself, and I care nothing about him now. Had I met him when he first deserted my sister he would not have been here now."

"When did he leave her?"

"I cannot recall the exact date, but I think he left saying that he was going to the King's Mountain centennial, which I believe was in 1878. He pretended to be going on a collecting tour. For that reason we feared that he had been robbed and murdered up there in those mountains."

A CAUSE REVEALED.

"When did you learn the truth?"

"I think it was at Gastonia that I got wind of the true state of the case, and there I lost sight of him and returned home."

"It was your sister who told you?"

"It was she who told me that she had never gotten over it. He was just as kind as a man could be in his family relations, but he became fascinated with this girl—Miss Rawlins—who boarded in the same house with them; and after he had betrayed her he saw that there was no alternative, and took her and left. You see Nuttall was an attractive man. He could play on almost any instrument, and was a polite and amiable, so that he was a favorite with both sexes."

"How long have you known of his whereabouts?"

"Not until recently. Mrs. Rawlins persuaded her daughter to return from Conyers, Ga., whether he had carried her, and then we heard that he was dead. We paid no further attention to him, and even when they began to write to us about him, of late, we kept the news from our sister. We did not desire that she should be made to suffer any more by resurrecting the old story. We were determined that she should not be interviewed, and should not be dragged into the matter for the purpose of identifying him."

That is why I came myself, in response to the request of the committee. I am willing to remain and appear as a witness, if it is desired, although I am a farmer and sawmill man and have a great deal of business on my hands."

A WARRANT SWORN OUT.

About 4 o'clock Chief Connolly appeared before Justice Owens and swore out a warrant against the prisoner, charging him with bigamy.

The case was set for 9 o'clock this morning, at which time the preliminary trial will begin. As the alleged crime was committed in Paulding county, it is altogether probable that Mr. Dale and Mr. Nuttall will be carried there for a hearing before the courts of that county.

He has employed as counsel Messrs. Anderson & Thompson and Speare & Roan, and they will appear in behalf of the man who is charged with having married two and seduced a third girl; and whose strange career is so curiously mixed that he, himself, seems hardly equal to the task of unraveling the tangled skein.

Last night he spent very pleasantly in company with Patrolman Bob Lawshe. He did not eat any dinner or supper, but about 9:30 o'clock ordered some fruit, which he ate while he conversed very cheerfully in regard to his case, reiterating his confidence in an early release from all his difficulties.

"I shall be able to prove who I am," he said, "with very little difficulty. What I regret most is my wife, who will be greatly worried by my being held in custody. I feel perfectly safe and satisfied that all will come right in due time."

In response to a telegram from Chief Connolly Sheriff Moon, of Dallas, telegraphed that he would be here today.

THE NEWS IN BELLWOOD.

How Brother Dale's Flock Discussed the Arrest—Mrs. Dale Talks.

The news of Mr. Dale's arrest created a profound sensation in the Bellwood section of Atlanta where the reverend gentleman is best known.

For nearly five years, Mr. Dale has had charge of the Seventh Baptist church, and during that time he has made many friends and some enemies.

Five of the leading members of his flock were discussing the situation on their way out Marietta street yesterday afternoon. The news of Mr. Dale's arrest had just reached them.

"Well, that rather stamps us," said one of the gentlemen when told of Mr. Horton's positive identification. "We have all stuck by Brother Dale in this matter, believing that the stories were the works of his enemies. Even now we will do all in our power for him if he is innocent; but if he is guilty there isn't a man in his church who won't say that he ought to be in the penitentiary."

The sentiment was heartily endorsed by the other four.

Mr. Roberts, Mr. Allen, Mr. Barnett, Mr. Goben and Mr. Fuller, all prominent in the church, were in the group.

"When this matter first came up," said Mr. Barnett, "I told Mr. Dale that I did not believe the charges, and that I was ready to help him in any way in my power. I like him, and have always liked him, but I told him that if the story were true he deserved to be punished, and he agreed with me fully. This story about our pastor, whether false or true, has hurt our church, and we hope it will be settled one way or another soon. But the person who would be most hurt, should it prove true, is Mrs. Dale, a most estimable lady whom we all respect and like."

Mr. Dale has the reputation among members of his congregation of being a very shrewd man. He preaches a good sermon, and has built up a church with probably a hundred and fifty members. These members are his warm friends, and none have believed it possible that the charges against their pastor were true.

Some time ago all was not so harmonious. There was in the church an opposition to the drawing of several leading members. The charges against Mr. Dale were first attributed to this opposition; but, of course, since the story has been so fully told, it has been found that the suspicions were unfounded.

It is the biggest sensation Bellwood has ever had, and is being discussed in every household.

At the end of a cross street, which leaves the Mason and Turner's ferry road, at the Seventh Baptist church, there is a pretty four-room cottage. It is the best of the dozen or so on

the rough little street, for it bears every indubitable mark of the presence and care of a thrifty housewife.

This is Rev. Walter B. Dale's home. And here the minister's wife and her four-year-old boy spent the lonely hours of yesterday waiting for the husband and father who did not come.

The rather difficult task of breaking to the wife the news of her husband's identification and arrest fell to the lot of a CONSTITUTION reporter.

There was a nervous twitching of the lips, a slight evidence of moisture in the eyes of Mrs. Dale as she listened to the recital, but beyond that she was thoroughly composed.

"Have they sent him to jail?" was her first question.

The arrest was explained.

"But they'll let him out on bond—he'll have to do that. He told me when he left this morning that he would certainly be back this evening and I shall expect him."

Then she continued, "Well, of course, I'm not altogether surprised for he has known of this trouble for some time. But they must let him give bond."

"Do you think him—"

"Innocent? Why of course I do. I know him thoroughly and I believe that all he has told me is true. He has been a kind, good, true husband and I do not believe it possible that he is anything but what he claims to be. I have been married about five years and have known him for some years longer and he has always been a true and good Christian man."

"You married him at Dallas, I believe?"

"Yes."

And before that he lived at Rockmart. Has he ever told you the story of his life back of Rockmart?"

"Of course he has. He has told me all about it—in fact I may say I know his life 'from a to zed.'"

"And his record is everywhere good?"

"Of course it is. I am thoroughly satisfied."

"Will you tell me about that part of his life? Without that being told, the public will be inclined to believe him guilty."

"No, I cannot do that. All that is in the hands of his attorneys and will come out at the right time. I do not feel at liberty to say anything about it."

"Was he ever in Conyers?"

"Not that I know of. No, I am sure he never was there."

Mrs. Dale asked about Mr. Horton and about his sister, who was Mrs. Nuttall.

"When is she coming to Atlanta?" she asked.

"Not at all. Her brother says—"

"But she must come. They can't condemn him on one man's testimony—certainly, she must come." She was excited now, and talked rapidly. "They must bring her here. Surely she can come, and can stand it if I can, who, if the stories told are true, am more deeply wronged than she is."

She became calm once more. She told of Dale's coming to Dallas, of his boarding with her mother and before that at a hotel. Only once more did she show any excitement. That was when the rather mysterious niece spoken of in the Rockmart feature of the story was mentioned.

"That is a pack of lies," she said excitedly. "A pack of lies!"

Mrs. Dale, who is a young and decidedly pretty lady, is greatly admired by the members of the little congregation and by all others who know her, and many were the expressions of sympathy for her yesterday.

AT THE THEATER.

"Guilty Without Crime" was greeted by a fair audience at DeGue's last night. The play is a strong one, and was highly enjoyed by those who saw it. Miss Hamie Austin proved herself an actress of very much more than ordinary ability, and as Stella she was very greatly enjoyed. Dore Davidson is known as one of the best character actors, and fully sustained his excellent reputation. The supporting company was sufficiently strong to make the play a good one.

"Said Pasha."

This evening, for the first time in Atlanta, this useful opera will be presented by the Thompson Opera company. Mr. Thompson, the proprietor of this organization, has been in town for a few days to receive and prepare his scenery, and he promises a performance perfect in every manner. New Orleans gave "Said Pasha" enthusiastic houses. One of the New Orleans papers thus analyzes in detail the chance.

Of the opera proper, it may be said that from the opening chorus for male voice, "Long Life to the Pasha," sung tunefully, down to the closing number, the vocalism proved very attractive.

ELLIOTT'S JOLLY VOYAGERS.

This attraction will be in town for one night only (next Monday) and will give one of their unique performances. They advertise twenty-five artists and a complete troupe of comedians, singers, dancers and specialists.

The New York Ledger contains the first of Mr. H. W. Grady's letters on "The South." Everybody in Georgia should read it. You can get it of John M. Miller, Opera House Bookstore.

Degree of Pochontas.

Wenonah Council No. 1, degree of Pochontas, Independent Order of Red Men, was instituted at Comanche wigwam Wednesday night. This is the first council that has ever been instituted in the state of Georgia.

PERSONAL.

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Dr. W. H. LEXYER, specialist in diseases of the skin, office and residence corner Edgewood avenue and Ivy street; hours 7 to 3 1/2 p. m., 12 1/2 to 5 p. m. Sun and Wed.

Dr. W. E. ARMSTRONG has removed his office to No. 130 Washington street.

Take a chance at some of the valuable articles for raffle at the Guard fair. The buggy, the set of china, the piano, rifle or a thousand and others are valuable.

SANTA CLAUS'S Christmas Greetings.

Christmas day with its joy and pleasure, as upon us, and visions of plum pudding, turkey and toys fill the mind of the small boy. The mamma and papa are telling the same old Santa Claus stories to the children, who all listen with bated breath. Oh, what joy and pleasure to see these innocent faces, and how good the children are just before Santa Claus's coming; for if bad, Santa might not bring half that's wanted. But for your cakes and puddings, your mince, etc., you must have the best citron and currants. This year we have the finest six Crown Table Cluster raisins we have had since we commenced business. Two years ago Double Crown London Layer raisins were the best that were sold upon the market, and were always spoken of as "the best." They are regarded now as choice delicacies at the best. Each crown represents a quality, and our Fancy Cluster Five and Six Crown goods are three times as fine as represented as Double Crown. Our citron this year is extra quality—the best we could find in the New York market. Remember, only one place in New York that we have had in person in New York this fall, and who selected their entire stock from the best. We have the best raisins, best prunes, largest fancy quality figs, best currants and beautiful, large, bright lemon and orange peel. Our fresh nuts have all arrived, and we are the leaders; it becomes us to set the price, which we will do upon application. We have just received heavy invoices of all kinds of pure mince meat, dates of the finest quality and all kinds of absolutely pure spices for your Christmas cakes. Be sure you buy your nuts, raisins, currants and citron for your cakes from us. You will not only get the best and freshest, but save money. You are paying 40 cents for your citron; we only charge 30. You pay 25 and 35 per pound for your nuts; we only charge—well, come and see. We have preserves of all kinds; we have dried raspberries, fancy large black olives and any delicacy for the holidays you want. For Santa Claus we have all kinds of fireworks for the boys. Now is the time to take your cake.

HOTT & THORN.

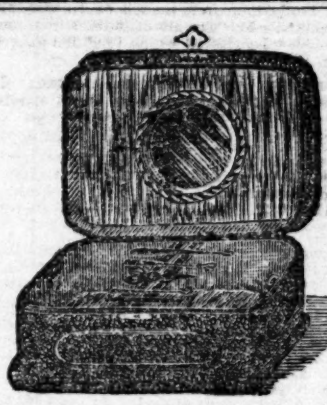
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